

Message Text

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ACTION ARA-20

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C O N F I D E N T I A L SANTIAGO 3297

EO 11652: GDS

TAGS: CI, PINS

SUBJ: STATUS OF MILITARY TRIALS

REF: SANTIAGO 3262

1. CHILEAN AIR FORCE (FACH) CONCLUDED ITS TRIALS OF 64 FACH AND CIVILIAN DEFENDANTS IN SANTIAGO ON JUNE 7. LAST CASES HEARD WERE THOSE FOR WHOM PROSECUTION HAS ASKED DEATH PENALTY OR LONG PRISON TERMS, INCLUDING AMONG LATTER TWO PROMINENT CIVILIANS, FORMER CENTRAL BANK VICE PRES CARLOS LAZO AND FORMER SENATOR ERICH SCHNAKE, BOTH SOCIALIST PARTY LEADERS. FACH TRIBUNAL WILL PERMIT DEFENSE ATTORNEYS PRESENT ADDITIONAL "CHARACTER WITNESSES" IN SPECIAL SESSION JUNE 11. VERDICTS AND SENTENCES FOR ALL DEFENDANTS ARE TO BE ANNOUNCED WITHIN TWO WEEKS.

2. DESPITE RUMORS, THERE IS TO DATE NO RPT NO HARD NEWS CONCERNING TRIALS FOR LEADERS OF ALLENDE GOVT OR POPULAR UNITY COALITION PARTIES FORMERLY IN DAWSON ISLAND. GENERAL EXPECTATION IS THAT SOEE BUT NOT NECESSARILY ALL OF THE "DAWSON ISLAND" GROUP WILL BE TRIED WITHIN NEXT MONTH OR TWO, AND THAT CHARGES WILL INCLUDE MISUSE GOVT FUNDS OR OTHER NON-POLITICAL VIOLATIONS OF LAWS PRE-EXISTING COUP. TRIALS MAY BE HELD OUTSIDE SANTIAGO, CONFIDENTIAL

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PRESUMABLY TO REDUCE SECURITY PROBLEMS, LIMIT ATTENDANCE, AND

DIMINISH INTERNATIONAL NOTICE.

3. MILITARY ZONE COMMANDER REVIEWED SENTENCES ISSUED BY VALDIVIA MILITARY TRIBUNAL APRIL 29, AND COMMUTED TWO DEATH SENTENCES TO LIFE TERMS. FINAL SENTENCES IN TOTAL 20 CASES WERE 6 LIFE, 1 OF 16 YEARS, 1 OF 5 YEARS, AND 12 OF 3 YEARS OR LESS.

4. MILITARY TRIBUNAL IN IQUIQUE MAY 29 AND 30 PROCESSES 33 DETAINEES HELD IN PISAGUA DETENTION CENTER. ALL DESCRIBED AS YOUNG MEN CHARGED WITH FORMING PARAMILITARY GROUPS BEFORE COUP, MAKING WEAPONS, AND TRAINING GUERRILLAS. GROUP DESCRIBED AS MEMBERS COMMUNIST PARTY. ONLY 4 SENTENCED TO PRISON, 3 FOR 3 YEARS AND ONE FOR 541 DAYS. TWO WERE ABSOLVED. REMAINING 27 SENTENCED TO INTERNAL BANISHMENT (RELEGACION), 2 FOR 5 YEARS AND THE REST FOR 3 YEARS OR LESS, WITH TIME ALREADY UNDER DETENTION CREDITED. "RELEGACION" REQUIRES SUBJECT TO RESIDE UNDER RESTRICTIONS ON MOVEMENT, SUPPORTING HIMSELF, IN DESIGNATED PLACE IN CHILE, USUALLY SMALL TOWN WELL AWAY FROM SUBJECT'S HOME.

5. NO MORE INFORMATION ON MIXED MILITARY TRIBUNAL SITTING IN MIN DEFENSE, WHICH BEGAN TRIALS JUNE 7 OF ABOUT 30 CIVILIANS AND MILITARY (SEE SANTIAGO 3262).

6. COMMENT. CONDUCT OF TRIALS AND RELATIVE MODERATION IN SENTENCING CONTINUES TREND WHICH WE HAVE NOTED AND REPORTED IN LAST FEW MONTHS. SOME DEATH SENTENCES MAY STILL BE HANDED DOWN IN FUTURE, BUT DOUBTFUL THAT ANY ACTUAL EXECUTIONS WILL TAKE PLACE EXCEPT IN INSTANCES OF KILLINGS OF SECURITY PERSONNEL. IT IS ALSO CLEAR THAT ALMOST WITHOUT EXCEPTION TRIBUNALS ARE DEALING WITH CHARGES DATING BACK TO PRE-COUP PERIOD. THOMPSON

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